IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13554 of 2006

Dated: 14th July, 2006

Between:

B.Santhi Kumari

.. Petitioner

and

The Mandal Revenue Officer,
Hirmandalam Mandal,
Srikakulam district & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13554 of 2006

ORDER:

This writ petition is filed seeking a Mandamus declaring the Proceedings Rc.No.1064/2006/B dated 4.6.2006 issued by the second respondent as arbitrary, contrary to law and violative of principles of

natural justice and consequently direct the respondents to continue the petitioner as Fair Price Shop dealer of Depot No.2 of Padali village, Hiramandalam mandal, Srikakulam district.

It is the case of the petitioner that in the impugned proceedings, no serious or substantial allegations are made against him and the same was issued on the basis of some news item published in Eenadu daily (District edition) on 1.6.2006 stating that the Fair Price Shop Dealers of Padali village of Hiramandalam mandal are collecting an amount of Rs.250/- from each card holder illegally for issuing new ration cards through Bio-metric system. In pursuance of the said news item, an enquiry was conducted by the Mandal Revenue Officer, Hiramandalam mandal, who submitted a report informing that the allegations are held proved. The Mandal Revenue Officer, while enclosing the enquiry report, requested to initiate disciplinary action against the Fair Price Shop Dealers concerned. Hence, the impugned proceedings are issued.

As noticed earlier, the charges are neither substantial nor grave in nature to necessitate suspension of Fair Price Shop Dealership of the petitioner during the pendency of enquiry into the matter.

Therefore, the impugned order of suspension passed by the second respondent is set aside. However, the respondents are at liberty to proceed with the matter as per law, after putting the petitioner on notice and after conducting a detailed enquiry into the matter.

The writ petition is allowed to the extent indicated above. No order as to costs.

C.V.RAMULU, J

Date: 14.7.2006

Note:
Issue C.C. in (2) days.
B/o
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

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14.7.2006